

**BOARD OF PSYCHOLOGY**

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**BOARD MEETING MINUTES**

Wyndham San Diego at Emerald Plaza
400 West Broadway
San Diego, CA 92101
(619) 239-4500

Thursday, August 11, 2005

The open session meeting was called to order by the President, Jacqueline Horn, Ph.D., at 12:00 p.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Jacqueline Horn, Ph.D., President
Howard Adelman, Ph.D.
Ellen Graff, Ph.D.
Linda Lindholm
William Lew Tan
James McGhee
Sharon O'Connor, Ph.D.

Others Present:

Jeffrey Thomas, Interim Executive Officer
Lavonne Powell, Legal Counsel
Victoria Thornton, Probation/Expert Program Coordinator
Kris Rose, Licensing/Registration Program Coordinator

Public Present:

Charles Faltz, Ph.D., California Psychological Association
Linda Taylor, University of California, Los Angeles
Patricia J. Rose, Ph.D., San Diego Psychological Association

Official Swearing in of New Board Member

Jeffrey Thomas, Interim Executive Officer, swore in the Board of Psychology's new board member, Sharon O'Connor, Ph.D.

Review and Possible Revisions to the 2005/2006 Strategic Plan

The board reviewed the strategic goals which had target dates of July 1, 2005 and January 1, 2006. The board set new target dates and outlined how to move ahead on the board's goals. The board also decided that the 2006/2007 Strategic Planning session will be held in February 2006 instead of November 2005.

The board adjourned the meeting at 2:15 p.m.

Friday, August 12, 2005

The open session meeting was called to order by the President, Jacqueline Horn, Ph.D., at 8:00 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Jacqueline Horn, Ph.D., President
Howard Adelman, Ph.D.
Ellen Graff, Ph.D.
Linda Lindholm
William Lew Tan
James McGhee
Sharon O'Connor, Ph.D.

Others Present:

Jeffrey Thomas, Interim Executive Officer
LaVonne Powell, Legal Counsel
Victoria Thornton, Probation/Expert Program Coordinator
Kris Rose, Licensing/Registration Program Coordinator

Public Present:

B.J. Combs, MCEP Accrediting Agency
Charles Faltz, Ph.D., California Psychological Association
Allison Parelman, Ph.D., Los Angeles Society of Clinical Psychologists
Linda Taylor, University of California, Los Angeles
Patricia J. Rose, Ph.D., San Diego Psychological Association

Open Session – Petitioner and Administrative Hearings

Administrative Law Judge Alan Meth presided.

8:00 A.M. – COCHAGNE, Jennifer, Ph.D.

Jennifer Cochagne, Ph.D., petitioner, did not appear, nor was she represented by an attorney. Deputy Attorney General Heidi Weisbaum was present and represented the people of the State of California.

9:00 A.M. – RUMAN, Marilyn, Ph.D.

Marilyn Ruman, Ph.D., petitioner, was present and was represented by attorney Gary Wittenberg. Deputy Attorney General Heidi Weisbaum was present and represented the people of the State of California.

10:00 A.M. – STONE, John, Ph.D.

John Stone, Ph.D., petitioner, was present and represented himself. Deputy Attorney General Samuel K. Hammond was present and represented the people of the State of California.

11:00 A.M. – LEATHAM, Larry, Ph.D.

Larry Leatham, Ph.D., did not appear nor was he represented by an attorney. Deputy Attorney General Stephen Boreman was present and represented the people of the State of California.

The Board adjourned into closed session at the conclusion of each hearing.

2:30 P.M. – Open Session Committee Meetings

The Continuing Education Committee, Examination Committee, and Enforcement Committee met to discuss and formulate recommendations to the board.

3:30 P.M. – Open Session Committee Meetings

The Credentials Committee, Legislation Committee, and Consumer Education Committee met to discuss and formulate recommendations to the board.

Saturday, August 13, 2005

The open session meeting was called to order by the President, Jacqueline Horn, Ph.D., at 8:00 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Jacqueline Horn, Ph.D., President
Howard Adelman, Ph.D.
Ellen Graff, Ph.D.
William Lew Tan
James McGhee
Linda Lindholm
Sharon O'Connor, Ph.D.

Others Present:

Jeffrey Thomas, Interim Executive Officer
LaVonne Powell, Legal Counsel
Kris Rose, Licensing/Registration Program Coordinator

Public Present:

Patricia J. Rose, Ph.D., San Diego Psychological Association
B.J. Combs, MCEP Accrediting Agency
Charles Faltz, Ph.D., California Psychological Association
Allison Parelman, Ph.D., Los Angeles Society of Clinical Psychologists
Colleen McNally, Los Angeles County Psychological Association
Linda Taylor, University of California, Los Angeles

Agenda Item #3 – Approval of Open Session Minutes for May 6 & 7, 2005

It was M(Lindholm)/S(Tan)/C to approve the May 6-7, 2005, open session minutes with minor grammatical changes.

VOTE: 7 Ayes

Agenda Item #4 – Approval of Open Session Minutes for June 10, 2005

It was M(McGhee)/S(Lindholm)/C to approve the June 10, 2005, open session minutes.

VOTE: 7 Ayes

Agenda Item #5 – President's Report

a) Sunset Review Update

Dr. Horn reported to the board that a hearing on Senate Bill 229 was held in front of the Assembly Ways and Means Committee on July 28, 2005. She stated that the bill was essentially approved by that committee, but reminded the board that the Governor has expressed opposition to all sunset bills unless amendments are made. She indicated that the bill is currently moving through the legislative process without amendments on its way to the Governor's desk.

b) 2005/2006 Strategic Plan

Dr. Horn reported that the board reviewed its 2005/2006 Strategic Plan on Thursday, August 11, 2005. During this review, the board set new target dates and outlined how to move ahead on the board's goals. She stated that the board also decided that the 2006/2007 Strategic Planning Session will be held in February 2006 rather than November 2005.

c) General Fund Loan Update

Dr. Horn provided the board with an update on the general fund loan. She reported that she, William Thomas, Ph.D., Jeff Thomas and Kathy Bradbury met with Bill Young, Budget Manager, Department of Consumer Affairs regarding the options available to the board. Dr. Horn indicated that the loan is currently scheduled to be repaid to the board in fiscal year 2014/2015. The board was provided spreadsheets with calculations regarding the board's reserves and current fund condition. The board was informed that they could request repayment of the loan if there was a fiscal need; however, the need cannot be created in order for the loan to be repaid earlier than FY 2014-2015. At the current time, the board's fund condition does not warrant an early repayment of the loan. Dr. Adelman requested to be provided with more information regarding the loan including the original contract. Ms. Lindholm also requested a list of all agencies which had a loan taken out of their fund indicating which agencies have already been repaid and which agencies still have outstanding loans. This item will be placed on the agenda for the November board meeting.

d) Committee Appointments

Dr. Horn made the following committee appointments:

| Committee | Chairperson | Members |
|---------------------------------------|-----------------------|--|
| Credentials | Ellen Graff, Ph.D. | Howard Adelman, Ph.D. William Lew Tan |
| Examination | William Thomas, Ph.D. | Linda Lindholm Sharon O'Connor, Ph.D. |
| Enforcement | Sylvia Johnson* | Ellen Graff, Ph.D. |
| Legislation | James McGhee | |
| Continuing Education | Howard Adelman, Ph.D. | William Thomas, Ph.D. |
| Consumer Education | James McGhee | Linda Lindholm Sharon O'Connor, Ph.D. |
| Personnel and Board Operations | William Lew Tan | |

* Dr. Horn indicated that she has not had an opportunity to speak with Ms. Johnson to determine if she wishes to remain as Chairperson of the Enforcement Committee.

e) Other President's Informational Items

Dr. Horn announced that Thomas O'Connor, former Executive Officer of the board, will be receiving a citation from the American Psychological Association's Division 42, Division of Independent Practice. He is the first non-psychologist to ever receive this citation. He will be receiving the citation at the APA meeting next week. Dr. Horn reported that Mr. O'Connor will also be attending the November board meeting to receive a Senate Resolution.

Dr. Horn also announced that former board member and President, Martin Greenberg, Ph.D., was elected a fellow of ASPPB.

Agenda Item #6 – Interim Executive Officer's Report

a) Association of State and Provincial Psychology Boards' (ASPPB) Draft Strategic Plan

Jeff Thomas provided a draft of ASPPB's Strategic Plan along with a request for feedback from the board. Mr. Thomas pointed out the differences between ASPPB's plan and the board's plan.

b) Staff Update

Mr. Thomas reported that the board recently promoted Rashya Henderson to the board's Consumer Services Analyst position. The board also hired Yolanda Quinones-Osman as an

Enforcement Technician. Mr. Thomas also reported that Denise Russell will begin employment as the Continuing Education Analyst on September 2, 2005.

c) Other Interim Executive Officer's Informational Items

None.

Agenda Item #7 – Regulation Update

a) Citation and Fine Amount – Section 1397.51

Mr. Thomas reported that the rulemaking file for section 1397.51 has been reviewed and approved by the Office of Administrative Law.

b) Continuing Education Requirements – Section 1397.61(f)

Mr. Thomas reported that the rulemaking file for section 1397.61(f) is currently being reviewed by the Department of Consumer Affairs, Division of Legislation and Regulatory Review.

c) Supervised Professional Experience – Section 1387

Mr. Thomas reported that the rulemaking file for section 1387 has been reviewed and approved by the Office of Administrative Law.

d) Other Regulation Update Informational Items

None.

Agenda Item #8 – Regulation Hearing 9:00 am

a) Pro-ration of Continuing Education Required for First Time

Dr. Horn conducted the regulation hearing on the pro-ration of Continuing Education Required for First Time Renewal After Issuance of License – California Code of Regulations Section 1397.61(a).

Dr. Horn reported that no written comment had been made, and offered an opportunity for public comment. Dr. Horn closed the hearing, and the board discussed the proposed regulation.

It was M(Tan)/S(Adelman)/C to adopt the proposed regulation changes and allow staff to make non-substantive changes as necessary.

VOTE: 7 Ayes

Agenda Item #9 - Continuing Education Committee Report

a) Review Requests for Exception from the Continuing Education Requirements

Dr. Adelman reported that there was no request for exceptions.

b) Discussion of Laws and Ethics Course Requirement

It was M/(Continuing Education Committee)/C to accept the draft language and to move forth with a regulation hearing at the November meeting.

VOTE: 7 Ayes

c) Discussion of Independent Learning

Dr. Adelman reported that Dr. Horn had previously made a motion that was tabled some time ago to change the current 18 hours that are allowed to be accrued via distance learning to 36 hours.

It was M(Continuing Education Committee)/C to change the 18 hour limit of continuing education that are allowed to be accrued via distance learning to 36 hours, and to change the term “distance learning” to “independent learning.”

VOTE: 7 Ayes

d) Discussion of Continuing Education Project

Dr. Adelman reported that the committee will continue to refine and improve their approach to continuing education. As part of this effort, the committee will be discussing the supervision course requirement, continuing education requirements should psychologists in California gain prescription privileges, and will clarify any other priorities that may come up.

e) Public Comment

None.

Agenda Item #10 – Credentials Committee Report

a) Review Plans for Supervised Professional Experience in Non-Mental Health Delivery Services

Dr. Graff reported that the committee reviewed five supervision plans for non-mental health delivery services. The committee approved four of them. The committee requested more information on the fifth plan.

b) Review Request for Extension of 30-Consecutive Month Limit for Accrual of Supervised Professional Experience

The committee reviewed one request for an accommodation to extend the 30-consecutive month time limit for the accrual of supervised professional experience pursuant to the Americans with Disabilities Act. The committee granted an extension allowing the candidate a total of 42 consecutive months to accrue the required supervised professional experience.

It was M(Graff)/C to accept the credential committees recommendations.

VOTE: 7 Ayes

c) Public Comment

None.

Agenda Item #11 – Examination Committee Report

a) Draft Regulation Language – Amend Sections 1388, 1388.6, 1389 and 1392 to Reference the California Psychology Supplemental Examination (CPSE)

Dr. Horn reported that the board received a memo from Linda Hooper, Ph.D., Personnel Selection Consultant with the Office of Examination Resources, providing a status report on the California Psychology Supplemental Examination (CPSE). Dr. Horn stated that according to the memo, the first exam will be ready on January 1, 2006. The new examination will include 6 clinical vignettes with 18 items related to those vignettes. There will also be 82 standard multiple choice law and ethics questions. The number of clinical vignettes will increase as test construction continues. The memo also indicated that the amount of time allowed to complete the exam may increase as the number of clinical vignettes included in the exam increases.

Mr. Thomas reported that the first 100 candidates who sit for the CPSE will not receive their scores at the test center on the date of the exam. The Office of Examination Resources is recommending this in order to review the statistics and verify that everything is working as it should with the new format of the exam. Mr. Thomas also indicated that a new form of the CPSE will be available every six months.

Dr. Horn presented draft language to change the name of the examination from CJPEE to CPSE. It was M(Tan)/S(Graff)/C to move ahead with the regulatory process to change the name of the exam.

VOTE: 7 Ayes.

b) Public Comment

None.

Agenda Item #12 - Enforcement Committee Report

a) Enforcement Statistics

Due to the sudden illness of Kathi Burns, Enforcement Coordinator, the enforcement statistics were not provided at the meeting but will be emailed to the board members early next week. The statistics will also be posted on the board's website.

b) Public Comment

None.

Agenda Item #13 – Legislation Committee Report

a) SB 229 (Figueroa)

Mr. McGhee reported that SB 229 would extend the sunset date of the board to July 1, 2011 in its current form. However, the Governor has indicated that he will veto the bill unless amendments are made. The board discussed the issue of whether or not it should do anything to address the governor's amendment to combine the Board of Psychology and the Board of Behavioral Sciences. Mr. McGhee reminded the board that Dr. Horn had testified in front of the Legislature on the board's support position on SB 229 in its current form. A discussion ensued.

It was M(McGhee)/S(Graff)/C that Dr. Horn send a letter on the board's behalf to the Governor's office, the Legislature and interested parties in support of SB 229 as it is currently written.

Vote: 7 Ayes

It was M(McGhee)/S(Graff)/C to include the board's concerns regarding the Governor's proposed amendments and how they will impact the consumers of psychological services and the profession of psychology in the letter to be sent by Dr. Horn.

Vote: 6 Ayes
1 Oppose (Lindholm)

Dr. Adelman asked for clarification regarding what would happen if this bill was vetoed by the Governor. Ms. Powell clarified that the regulation of the practice of psychology would be continued; however, the board would cease to exist and would become a bureau under the Department of Consumer Affairs. The board could possibly later be "sunrised," but it would require passage of another bill.

b) AB 894 (La Suer)

McGhee reported that AB 894 provides for licensing and regulation of professional counselors licensed by the Board of Behavioral Sciences. He indicated that the bill would require the Governor to appoint two additional persons to the Board of Behavioral Sciences and would enact various related provisions on practices of the professional counselors. The bill has not been heard in committee, and has become a two year bill.

Sharon O'Connor departed from the board meeting.

Agenda Item #14 – Consumer Education Committee Report

a) Website Statistics

Mr. McGhee provided the website statistics to the board.

Mr. McGhee proposed that, in an effort to educate supervisors and trainees regarding the requirement that trainees register with the board prior to the commencement of providing psychological services, the board send an educational letter to all agencies qualified to employ psychological assistants and registered psychologists. These agencies include psychology clinics, Bronzan-McCorqudale Contract Clinics, psychological corporations, medical corporations, and non-profit community agencies. Through this effort, the board hopes to raise the awareness of the unlicensed practice of psychology. In addition, the board would send a letter to all licensees and training directors. This information would be included in the next BOP Update.

It was M(McGhee)/C to accept the Consumer Education Committee's proposal.

Vote: 6 Ayes

Agenda Item #15- Ad Hoc Committee on Recruitment of Executive Officer Report

Mr. McGhee reported that he and Dr. Horn have met three times in an effort to develop a process for hiring an Executive Officer for the Board of Psychology. The four items that were worked on were the duty statement, the announcement that will be published, the qualifications for the executive officer, and a list of organizations that the announcement would be sent to.

Dr. Horn reported that the plan is to have the five top candidates identified and ready to be interviewed by the board at the February 2006 meeting. Preliminary interviews will be held in Sacramento prior to the February board meeting.

It was M(McGhee)/C that the board accepts the committee's work regarding the recruitment of the executive officer.

VOTE: 6 Ayes

Mr. McGhee commended Dr. Horn for her leadership and work in the Executive Officer recruitment process.

Agenda Item #16- Ad Hoc Committee on Election of Officers Report

Dr. Adelman reported that, after review of other agencies' procedures and regulations regarding the election of officers, it was found that the Board of Psychology's statutes and procedures appear, by comparison, to be standard. Dr. Adelman reported that the ad hoc committee's recommendation is to maintain the current process and to clarify the board's policy in this regard. Dr. Adelman asked that Lavonne Powell assist staff in clarifying the policy. Ms. Powell indicated that the current statutory language will remain, and the policy will be amended to clarify that each year, a President and Vice-President will be elected and that the Vice-President does not automatically assume the position of President. The board will accept nominations for both President and Vice-President at each annual election.

It was M(Adelman)/C that the ad hoc committee's recommendation be accepted and that the recommended language become part of the board's policy.

Vote: 6 Ayes

Public Comments on Items Not on the Agenda

None.

Agenda Items for Future Board Meetings

Dr. Horn requested to include the addition of "incompetence" as a reason for disciplinary action as an agenda item for the November board meeting agenda.

Ms. Lindholm requested to add the review of penalties listed in Business and Professions Code section 2969 as an Enforcement Committee meeting agenda item for the November board meeting.

Dr. Adelman requested to add the discussion of the general fund loan as a Personnel and Board Operations Committee agenda item for the November board meeting.

Ms. Lindholm requested to add a discussion of an informational DVD for public outreach as a Consumer Education Committee agenda item for the November board meeting.

The open session meeting adjourned at 10:20 a.m.

Jacqueline B. Horn, Ph.D.
President

Date